

STAFF REPORT
January 6, 2005

No. 04PD072 - Planned Commercial Development - Initial Development Plan **ITEM 29**

GENERAL INFORMATION:

PETITIONER	FMG Engineering for F&A Properties
REQUEST	No. 04PD072 - Planned Commercial Development - Initial Development Plan
EXISTING LEGAL DESCRIPTION	That part of the NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, that lies within the following description: Commencing at a 1/2" rebar at the northeast corner of Block 1 of Lakota Subdivision No. 1; thence S89°52'10"E, 235.82 feet to a 1/2" rebar at the northeast corner of the Unplatted Balance of the NE1/4 of the NW1/4 of Section 25; thence S00°02'17"E, 653.54 feet to a point at the southeast corner of the Unplatted Balance of the NE1/4 of the NW1/4 of Section 25; thence S89°57'12"W, 236.24 feet to a 1/2" rebar at the southeast corner of Block 1 of Lakota Subdivision No. 1; thence N00°00'05"W, 654.27 feet to a 1/2" rebar at the northeast corner of Block 1 of Lakota Subdivision No. 1 at the point of beginning; all located in NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 3.54 acres
LOCATION	West of Haines Avenue, South of Mall Drive, North of Paha Sapa Drive, East of Lakota Homes
EXISTING ZONING	Low Density Residential District
SURROUNDING ZONING	
North:	Neighborhood Commercial District/Low Density Residential District
South:	Low Density Residential District
East:	General Commercial District
West:	Low Density Residential District w/Planned Residential Development
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	11/16/2004
REVIEWED BY	Todd Tucker / David L. Johnson

STAFF REPORT
January 6, 2005

No. 04PD072 - Planned Commercial Development - Initial Development Plan **ITEM 29**

RECOMMENDATION:

Staff recommends that the Planned Commercial Development - Initial Development Plan be approved with the following stipulations:

1. Prior to initiation of construction, a Building Permit shall be obtained and a Certificated of Occupancy shall be obtained prior to occupancy of the structures;
2. If the area of disturbance exceeds one acre, an Air Quality Permit shall be obtained;
3. The uses allowed within the Planned Commercial Development shall be limited to a furniture store within the northern most proposed structure and any other use permitted in the General Commercial Zoning District within the southern most proposed structure;
4. Upon submittal of a Final Development Plan, structural elevations and a list of the building materials for the proposed structures shall be submitted for review and approval;
5. All site lighting will need to be directed away from the adjacent rights-of-way and residential zoned properties;
6. Upon submittal of a Final Development Plan, a complete sign package shall be submitted for all on site signage showing compliance with Section 15.28 of the Rapid City Municipal Code;
7. No off-premise, flashing or electronic motion signs shall be permitted for the proposed Planned Commercial Development;
8. Upon submittal of a Final Development Plan, a detailed landscape plan shall be submitted showing a minimum of 98,450 landscaping points in compliance with Section 17.50.300 of the Rapid City Municipal Code;
9. The requirement to install a screening fence along the property lines abutting Mall Drive and Pahasapa Road is hereby waived;
10. Upon submittal of a Final Development Plan, the site plan shall be revised to show the proposed screening fence located outside the required 25 foot front yard setback or the applicant shall obtain a Fence Height Exception to allow a fence greater than four feet in height located within the required front yard setback. Staff also noted that elevation drawings of the proposed fence shall be submitted with the Final Commercial Development Plan. Also, staff recommends that the fence be constructed of low maintenance materials;
11. Both structures shall be fully fire sprinkled and fire alarmed as per the International Fire Code;
12. All applicable provisions of the International Fire Code shall be continually met;
13. Upon submittal of a Final Development Plan, final grading and drainage plans must be submitted;
14. The final grading and drainage plan must demonstrate management and discharge of storm water runoff that is consistent with the Rapid City Drainage Criteria Manual, with no discharge on the residential properties located to the west of the subject property. Staff also noted that the grading and drainage plan shall include a sediment and erosion control plan;
15. Prior to issuance of a Building Permit, the applicant must demonstrate that easements exist on the adjacent property to the south of the subject property for the installation and operation of the proposed storm sewer main;
16. Upon submittal of a Final Development Plan, a revised site plan shall be submitted showing the driveway access located along Haines Avenue reduced to a maximum width of 28 feet allowing a $\frac{3}{4}$ driveway approach only, with signage indicating no left turn;

STAFF REPORT
January 6, 2005

No. 04PD072 - Planned Commercial Development - Initial Development Plan **ITEM 29**

17. The hours of delivery, for the proposed furniture store, shall be limited to the hours between 7:00 AM and 10:00 PM;
18. Upon Submittal of a Final Development Plan, the location and design of the proposed screening for the dumpster shall be provided for review and approval;
19. Upon submittal of a Final Development Plan, complete information, including frequency and decibels generated by the air handling equipment, and location of proposed screening for all air handling equipment shall be submitted to insure that the adjacent residential properties are not adversely affected; and,
20. The Planned Commercial Development shall expire if the use is not undertaken and completed within two years of the date of approval by the Planning Commission, or if the use as approved has ceased for a period of two years.

GENERAL COMMENTS: (This Staff Report was revised on December 27, 2004. All revised and/or added text is shown in bold text.) This item was continued at the December 9, 2004 Planning Commission meeting to allow the applicant time to meet with the property owners in the area to discuss the proposed development for the subject property.

The applicant indicated that on December 13, 2004 he met with the property owners in the area of the subject property to discuss the proposed development of the subject property. On January 4, 2005 the applicant and staff will meet with the residents in the area to discuss the development of the subject property. Staff will report to the Planning Commission about the meeting at the January 6, 2005 Planning Commission meeting.

The subject property is located west of Haines Avenue between Mall Drive and Pahasapa Road. The subject property is currently zoned Low Density Residential. However, a Rezone request (04RZ057) has been submitted proposing to rezone the subject property from Low Density Residential to General Commercial with a Planned Commercial Development. An amendment to the Comprehensive Plan (04CA065) has also been requested proposing to change the future land use designation for the subject property from Residential to General Commercial with a Planned Commercial Development. The applicant is now requesting approval of a Planned Commercial Development - Initial Development Plan to allow for a furniture store and a commercial building to be located on the above legally described property.

STAFF REVIEW: Staff has reviewed the Planned Commercial Development – Initial Development Plan and has noted the following considerations:

Building Permit: Staff noted that a Building Permit must be obtained prior initiation of construction, and that a Certificate of Occupancy must be obtained prior to occupying the building.

Air Quality Permit: Staff noted that if the area of disturbance exceeds one acre, an Air Quality Permit must be obtained.

STAFF REPORT
January 6, 2005

No. 04PD072 - Planned Commercial Development - Initial Development Plan **ITEM 29**

Design Features: The Initial Commercial Development Plan identifies two proposed structures on the subject property. A 43514 square foot furniture store is proposed on the northern portion of the lot and a 10,496 square foot commercial building is proposed on the southern portion of the lot. Upon submittal of a Final Planned Commercial Development, structural elevations and a list of the building materials for the proposed structures must be submitted for review and approval.

Setbacks: The applicant's site plan shows the proposed structures to be setback from the front property line abutting Haines Avenue 30 feet. The applicant's site plan shows the proposed structure on the northern portion of the lot to be setback from Mall Drive 25 feet. The applicant's site plan shows the proposed structure on the southern portion of the lot to be setback from Pahasapa Road 25 feet. The proposed front yard setbacks meet the minimum required setbacks for the General Commercial Zoning District. However, the applicant should be aware that the future improvements to Pahasapa Road may include increasing its width and acquisition of additional right-of-way. The applicant may wish to review the location of the proposed commercial building located on the southern portion of the lot moved further to the north increasing its setback from Pahasapa Road to accommodate any future widening of Pahasapa Road. The applicant's site plan shows the proposed structures to be setback from the rear property line 33.67 feet which meets the minimum rear yard setback requirement of 15 feet when a General Commercial Zoning District abuts a residential district.

Lighting: The applicant's site plan shows exterior and parking lot lighting to be located on the exterior walls of the structure and within the parking lot. All site lighting will need to be directed away from the adjacent rights-of-way and residential zoned properties.

Signage: The applicant's site plan shows three proposed ground signs located on the subject property. Staff noted that the proposed ground signs are located within 10 feet of the public right-of-way. Section 15.28.200 of the Rapid City Municipal Code states that on-premises ground signs may have a setback of zero feet from the public right-of-way so long as the bottom of the sign is 10 feet clear from grade. Signs not 10 feet clear from grade shall be set back a minimum distance of 10 feet from the property line. Upon submittal of a Final commercial Development Plan, a complete sign package must be submitted for all on site signage showing compliance with Section 15.28 of the Rapid City Municipal Code. Staff recommends that no off-premise, flashing or electronic motion signs be permitted.

Landscaping: The proposed Planned Commercial Development will require that 98,450 landscaping points be provided. The applicant's site plan shows the proposed location of landscape areas to include trees, shrubs, turf, and ground cover. Upon submittal of a Final Commercial Development Plan, a detailed landscape plan must be submitted showing a minimum of 98,450 landscaping points in compliance with Section 17.50.300 of the Rapid City Municipal Code.

Parking Plan: The Rapid City Municipal Code requires that 148 off-street parking stalls be provided for the proposed development. The applicant's site plan shows a total of 150 off-street parking stalls with six being a handicapped accessible and two of those being "van

STAFF REPORT
January 6, 2005

No. 04PD072 - Planned Commercial Development - Initial Development Plan **ITEM 29**

accessible". The proposed parking plan meets the requirements of Section 17.50.270 of the Rapid City Municipal Code. Staff noted that any other use besides a retail store or offices located within the proposed commercial building located on the southern portion of the property may require additional parking to be provided.

Fencing: Section 17.18.080 of the Rapid City Municipal Code requires that an opaque ornamental screening fence not less than five nor more than six feet in height shall be constructed along the adjacent property lines when a General Commercial Zoning District is adjacent to a residential district. As previously indicated the subject property is located adjacent to the Low Density Residential Zoning District on the north, west and south. The applicant's site plan shows a screening fence proposed along the west property line. The Zoning Ordinance requires that a screening fence also be located along the north and south property lines. However, fences are not permitted within the required 25 foot front yard setback. Due to the separation of the proposed structures and the existing residential uses by Mall Drive and Pahasapa Road, staff supports the applicant's request to waive the requirement to install a screening fence along the property lines abutting Mall Drive and Pahasapa Road. The applicant's site plan shows a proposed screening fence located along the west property line located within the required 25 foot front yard setback as it abuts Mall Drive and Pahasapa Road. As such, upon submittal of a Final Commercial Development Plan, the site plan must be revised to show the proposed screening fence located outside the required 25 foot front yard setbacks or the applicant must obtain a Fence Height Exception to allow a fence greater than four feet in height within the required front yard setback. Staff noted that elevation drawings of the proposed fence must be submitted with the Final Commercial Development Plan. Staff also noted that the proposed screening fence must be constructed of low maintenance materials

Fire Safety: Staff noted that the number of hydrants, hydrant location, and access to and around the subject property appear to be adequate as shown on the submitted site plan. Staff also noted that both proposed structures must be fully fire sprinkled and fire alarmed as per the International Fire Code.

Grading and Drainage: Staff noted that no grading or drainage plans were submitted by the applicant. Upon submittal of a Final Development Plan, final grading and drainage plans must be submitted. Staff noted that the final grading and drainage plan must demonstrate management and discharge of storm water runoff that is consistent with the Rapid City Drainage Criteria Manual, with no discharge on the residential properties located to the west of the subject property. Staff also noted that the grading and drainage plan shall include a sediment and erosion control plan.

Utilities: The applicant's site plan shows the extension of a proposed storm sewer main across the adjacent property to the south of the subject property. Prior to Planning Commission approval, the applicant must demonstrate that easements exist on the adjacent property to the south of the subject property for the installation and operation of the proposed storm sewer main.

STAFF REPORT
January 6, 2005

No. 04PD072 - Planned Commercial Development - Initial Development Plan **ITEM 29**

Staff also noted that construction plans for all site improvements, including all public or private water mains, sewer mains, or storm sewers, sidewalks along the frontage of Pahasapa Road and Mall Drive, and all on-site storm water management facilities must be submitted for review and approval prior to issuance of a Building Permit.

Access: The applicant's site plan shows three driveway accesses into the subject property. The site plan shows one access located on each street frontage. Staff noted that the Street Design Criteria Manual states that two driveway approaches are allowed per business establishment. To accommodate the high level of traffic around the subject property and to promote good vehicular circulation through the site, staff recommends that an exception be granted to allow more than two driveway approaches to the subject property. However, staff noted that the access located along Haines Avenue provides two egress lanes and one ingress lane. To better promote access into and out of the site staff recommends that the driveway access located along Haines Avenue be reduced to 28 feet in width allowing a $\frac{3}{4}$ driveway approach only, with signage indicating no left turn.

Hours of Delivery: The applicant's site plan shows the delivery dock located on the north side of the proposed furniture store. Due to the close proximity of the delivery dock to the residential properties located to the north of the subject property, staff recommends that the hours of delivery, for the proposed furniture store, be limited to the hours between 7:00 AM and 10:00 PM.

Dumpster Locations: The applicant's site plan shows the proposed location of the dumpster to be on the north side of the furniture store. However, no description of proposed screening for the dumpster is provided. Upon submittal of a Final Development Plan, the location and design of the proposed screening for the dumpster must be provided.

Air Handling Equipment: The applicant's site plan does not show the proposed location for the air handling equipment for the proposed structures. Upon submittal of a Final Development Plan, complete information, including frequency and decibels generated by the air handling equipment, and location of proposed screening for all air handling equipment must be submitted to insure that the adjacent residential properties are not adversely affected.

Notification: **The required sign has been posted on the property and the receipts from the required notification of surrounding property owners have been returned.**

As of this writing the required sign has not been posted on the property and the receipts from the required notification of surrounding property owners have not been returned. Staff will notify the Planning Commission at the December 9, 2004 Planning Commission meeting if these requirements have not been met.

Staff recommends approval of the Planned Commercial Development – Initial Development Plan with the above stated stipulations.